

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FINANCIAL RESOURCES FEDERAL
CREDIT UNION,

Plaintiff,

v.

ALLOYA CORPORATE FEDERAL
CREDIT UNION; DIEBOLD
NIXDORF AND DIEBOLD,
INCORPORATED; J.P MORGAN
CHASE BANK, N.A. d/b/a CHASE
BANK; LOOMIS ARMORED, INC.;
BRINKS COMPANY; DUNBAR
ARMORED,

Defendants.

Civil Action No. 20-6180

ORDER

THIS MATTER having been opened to the Court by Wilfred P. Coronato, Esq., counsel for defendants Diebold Nixdorf, Inc. and Diebold, Inc. (collectively, “Diebold”) on a motion to transfer the action initiated by plaintiff Financial Resources Federal Credit Union (“Plaintiff”) pursuant to 28 U.S.C. §1404(a) and a separate motion to dismiss this action pursuant to Federal Rule of Civil Procedure 12(b)(6); it further appearing that defendant J.P. Morgan Chase Bank, N.A., through its counsel Anthony C. Valenziano, Esq.; and defendants Brink’s Company and Brink’s, Incorporated, as successor in interest to Dunbar Armored, Inc., through their counsel Joseph Nicholas Froehlich, Esq. have each filed separate motions to dismiss this action pursuant to Federal Rule of Civil Procedure 12(b)(6); it appearing that Plaintiff, through its counsel, Daniel R. Bevere, Esq., opposes all four motions; the Court having considered the submissions of the

parties without oral argument, pursuant to Fed. R. Civ. P. 78; for the reasons set forth in the Opinion filed on this date, and for good cause shown,

IT IS on this 27th day of January, 2021,

ORDERED that Diebold's Motion to transfer this matter [ECF No. 12] to the United States District Court for the Northern District of Ohio is **GRANTED**, and it is further

ORDERED that all three Motions to Dismiss [ECF Nos. 13, 22, 29] are **DENIED** without prejudice, with the right to refile such motions in the transferee court, and the entire case is so transferred.

/s/ Freda L. Wolfson

Freda L. Wolfson
U.S. Chief District Judge